

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v-

No. 13-CR-271-LTS-21

ALSHAQUEN NERO,

Defendant.

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ORDER

The Court has received Defendant Alshaquen Nero's pro se motion requesting "that the court appoint counsel to represent him in litigating a Motion for Compassionate Release," pursuant to 18 U.S.C. § 3582(c)(1)(A). (Docket Entry No. 969.) The Court has carefully considered Mr. Nero's request. In light of the relative lack of legal and factual complexity involved, however, the Court denies the application for the appointment of counsel. See Schluskel v. United States, No. 08-CR -94 (JFK), 2014 WL 1875928, at *3 (S.D.N.Y. May 9, 2014) ("The Second Circuit has repeatedly stated that 'there is no statutory right to counsel under the Criminal Justice Act in connection with a § 3582(c) motion, and that the provision of counsel for such motions should rest in the discretion of the district court.'") (quoting United States v. Cirineo, 372 F. App'x 178, 179 (2d Cir. 2010)).

The Government is directed to file its response to Mr. Nero's application for compassionate release (construed to include his letter-motion dated May 26, 2020 (Docket Entry No. 964), as well as his motion for the appointment of counsel) by **July 30, 2020**. A complete, unredacted courtesy copy of the Government's response must be provided to defendant and emailed to Chambers via SwainNYSDCorresp@nysd.uscourts.gov. Mr. Nero's reply to the Government's response, if any, must be filed by **August 7, 2020**.

The Clerk of Court is respectfully directed to mail a copy of this Order to defendant Nero, at Alshaquen Nero, Reg. No. 05861-748, USP Thomson, U.S. Penitentiary, P.O. Box 1002, Thomson, IL 61285.

SO ORDERED.

Dated: New York, New York
July 16, 2020

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge